

R E M A R K S

Claims 1, 5-7 and 11 are now in this Application, and are presented for the Examiner's consideration.

Request for Three Month Extension of Time

Applicant hereby requests that the period for responding to the Office Action mailed April 18, 2005, set to expire on July 18, 2005, be extended by THREE (3) months, so as to expire on October 18, 2005. Applicant is a small entity.

Enclosed is FORM PTO-2038 - Credit Card Payment Form, with authorization to charge \$510.00 to the undersigned's Credit Card for the extension of time fee. .

Please charge any additional fees for this extension of time to Deposit Account No. 07-1524.

Objection to Drawings

The drawings were objected to under 37 C.F.R. 1.83(a), as not showing every feature of the invention specified in the claims.

Specifically, it was stated that the following features, which are recited in the claims, must be shown in the drawings or must be canceled from the claims:

- a) the drive unit in line 8 of claim 1,
- b) the electric magnet in line 2 of claim 3, and

c) the mechanical bolt in line 2 of claim 4.

It is first noted that claims 3 and 4 have been canceled, thus rendering moot the objection as to b) the electric magnet in line 2 of claim 3, and c) the mechanical bolt in line 2 of claim 4.

As to the drive unit in line 8 of claim 1, Fig. 1 has been amended to show a box labeled "DRIVE UNIT 100" and which is connected by a dashed line to shaft 28. The specification has also been amended at page 4, line 34 to refer to the drive unit by numeral 100.

Also enclosed is a Replacement Sheet and an Annotated Sheet Showing Changes.

No new matter has been added.

Accordingly, it is respectfully submitted that the objection to the drawings has been overcome.

#### Objection to Specification

The specification was objected to under 37 C.F.R. 1.71 as not clearly describing the subject matter.

Specifically, it was stated that, at page 6, lines 31-32, the specification discloses "a magnetic coupling or a mechanical bolt could be released when the two stopper elements 40, 42 come into contact," but does not disclose the critical inter-

relationships between the magnetic coupling/the mechanical bolt and other elements, for example, the levers, the shaft, etc., of the press in order to show how the releasing/disengaging function is being operated when the two stop elements come into contact with each other.

It is submitted that this is an alternate embodiment, and does not form part of the essential features of the present invention. Since these elements are only recited in claims 3 and 4, and since claims 3 and 4 have been canceled, it is submitted that this objection is now rendered moot.

Rejection of Claims under 35 U.S.C. §112, First Paragraph

Claims 1-11 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enabling requirement, that is, as failing to provide sufficient description to enable one skilled in the art to make and use the invention.

As to claim 1, line 10, the Examiner refers to the discussion in the objection to the specification regarding the releasable function of the press. The only mention in original claim 1 of a releasable function is the "the rotation-resistant connection between the second lever and shaft being releasable." It is assumed that this is what is referenced.

Specifically, the specification teaches that second lever 16 is attached to shaft 28 in a releasably rotation-resistant manner (page 5, lines 1-2). Thus, there is a friction fit between second lever 16 and shaft 28 such that, when shaft 28 is rotated, second lever 16 is rotated with shaft 28 (page 5, lines 20-25). However, when there is a force on second lever 16 during this rotation of shaft 28, which force is sufficient to overcome the frictional force between second lever 16 and shaft 28, second lever 16 overcomes the friction fit and there is relative rotation. Thus, when stopper element 40 of second lever 16 abuts against stopper element 42, further rotation of second lever 16 is prevented. However, shaft 28 keeps rotating. Shaft 28 is no longer rotation-resistantly connected to lever 16 (page 6, lines 20-21). As a result, during further rotation of shaft 28, the projecting portion of eccentric cam 44 moves downwards in Fig. 4 inside the bore 46 of second lever 16.

Thus, claim 1 recites that second lever 16 has a free end rotation-resistantly mounted on a shaft 28 adapted to be rotated by a drive unit. This is shown in Figs. 1-3 in which second lever 16 rotates by the friction fit with shaft 28. However, claim 1 further recites that the rotation-resistant connection between the second lever and shaft is releasable. This occurs when second lever 16 is held by stopper element 40 against stopper element 42, and whereby shaft 28 rotates relative to

second lever 16, so that the rotation-resistant (friction) connection is now released.

As to claims 3 and 4, these claims have been canceled, thus rendering this rejection moot.

In addition, claims 8-10 which depended from canceled claims 2-4, respectively, have also been canceled.

Accordingly, it is respectfully submitted that the rejection of claims 1-11 under 35 U.S.C. §112, first paragraph, has been overcome.

Rejection of Claims under 35 U.S.C. §112, Second Paragraph

Claims 1-11 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

As to claim 1, it was stated that this claim is incomplete for omitting essential elements of the spring 30 and arm 36 in order to support the limitation of "rotation-resistantly mounted," as claimed. In this regard, the limitations of claim 2 have been incorporated into claim 1, as suggested by the Examiner, in order to overcome this rejection.

Further, as to claim 1, the word "the" has been inserted before the word "shaft" with reference to line 10 of previous pending claim 1, as suggested by the Examiner.

As to the limitations of claim 2 inserted into claim 1, reference to "second shaft" has been changed to "shaft" to ensure

proper antecedent basis.

The rejections of claims 3, 4 and 8-10 are rendered moot by the cancellation of these claims.

As to claim 5, the word "the" has been inserted before the word "levers" on line 2 of presently amended claim 5 (line 4 of previously pending claim 5), as suggested by the Examiner.

As to claim 5, reference to "toggle lever" has been deleted.

As to claim 6, the word "the" has been inserted before the word "levers" on line 2 of presently amended claim 6 (line 3 of previously pending claim 6), as suggested by the Examiner.

Accordingly, it is respectfully submitted that the rejection of claims 1-11 under 35 U.S.C. §112, second paragraph, has been overcome.

#### Prior Art Rejections

Claim 1 was rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,034,666 to Bigun et al.

In the first place, the limitations of claim 2 have been incorporated into claim 1, thereby overcoming this rejection.

Further, claim 1 recites that the second lever 16 has a free end rotation-resistantly mounted on a shaft 28 adapted to be rotated by a drive unit 100, the rotation-resistant connection between the second lever 16 and the shaft 28 being releasable. This is described in detail above in regard to the rejection of

claims 1-11 under 35 U.S.C. §112, first paragraph. In Bigun, this relationship between linkage 10 and crankshaft 6 is missing. Bigun states that linkage 10 is merely articulated to crankshaft 6. There is no disclosure of this rotation-resistant mounting, which is also releasable.

Further, claim 1 now incorporates the limitations of claim 2, which are nowhere disclosed or even remotely suggested by Bigun. It was stated that Bigun includes a spring system 16, 17. However, claim 1 now recites a spring 30 for fixing the second lever 16 to the shaft 28 in a releasably rotation-resistant manner. The spring system 16, 17 of Bigun does not fix the linkage 10 to the shaft 6. Further, claim 1 recites that the spring 30 is disposed between an arm 36 mounted rotation-resistently on the shaft 28 and a bearing 32 on the second lever 16. There is no comparable arm in Bigun which is mounted rotation-resistently on shaft 6.

Accordingly, it is respectfully submitted that the rejection of claim 1 under 35 U.S.C. §102(b) has been overcome.

Claim 5 was rejected under 35 U.S.C. §103(a) as being obvious from Bigun et al in view of U.S. Patent No. 3,763,689 to Bridges.

The remarks made above in regard to Bigun are incorporated herein by reference.

In the first place, the limitations of claim 2 have been incorporated into claim 1, thereby overcoming this rejection.

Further, Bridges is similar to Bigun, and all of the deficiencies of Bigun, as applied to claim 1 herein, apply equally to Bridges. In other words, Bridges fails to cure any of the deficiencies noted above as to Bigun.

Accordingly, it is respectfully submitted that the rejection of claim 5 under 35 U.S.C. §103(a) has been overcome.

#### Remaining Claims

It is noted that claims 2-4 and 6-11 were not rejected over prior art but that in view of the issues under 35 U.S.C. §112, as set forth above, the allowability of the claims cannot be determined at this time.

However, in view of the above amendments and arguments, it is submitted that all of the claims now in the application are in condition for allowance.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed

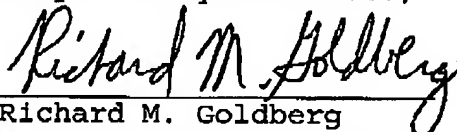


concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 07-1524.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1524.

In view of the foregoing amendments and remarks, it is respectfully submitted that Claims 1, 5-7 and 11 are allowable, and early and favorable consideration thereof is solicited.

Respectfully submitted,

  
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FORM PTO-2038 - Credit Card Payment Form  
Replacement Sheet  
Annotated Sheet Showing Changes

# ANNOTATED SHEET SHOWING CHANGES

